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**TRANSMITTAL  
FORM**

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Total Number of Pages in This Submission

3

Application Number

10/629,448

Filing Date

July 29, 2003

First Named Inventor

Kelkar et. al.

Art Unit

1631

Examiner Name

Loria Clow

Attorney Docket Number

CHA9 2003 003 US1

**ENCLOSURES (Check all that apply)**

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| <input type="checkbox"/> Fee Transmittal Form<br><input type="checkbox"/> Fee Attached<br><input type="checkbox"/> Amendment/Reply<br><input type="checkbox"/> After Final<br><input type="checkbox"/> Affidavits/declaration(s)<br><input type="checkbox"/> Extension of Time Request<br><input type="checkbox"/> Express Abandonment Request<br><input type="checkbox"/> Information Disclosure Statement<br><br><input type="checkbox"/> Certified Copy of Priority Document(s)<br><input type="checkbox"/> Reply to Missing Parts/ Incomplete Application<br><input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s)<br><input type="checkbox"/> Licensing-related Papers<br><input type="checkbox"/> Petition<br><input type="checkbox"/> Petition to Convert to a Provisional Application<br><input type="checkbox"/> Power of Attorney, Revocation<br><input type="checkbox"/> Change of Correspondence Address<br><input type="checkbox"/> Terminal Disclaimer<br><input type="checkbox"/> Request for Refund<br><input type="checkbox"/> CD, Number of CD(s) _____<br><input type="checkbox"/> Landscape Table on CD | <input type="checkbox"/> After Allowance Communication to TC<br><input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences<br><input checked="" type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)<br><input type="checkbox"/> Proprietary Information<br><input type="checkbox"/> Status Letter<br><input type="checkbox"/> Other Enclosure(s) (please identify below): |
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Remarks

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm Name

Signature

Printed name

Karl O. Hesse

Date

August 7, 2007

Reg. No.

25,398

**CERTIFICATE OF TRANSMISSION/MAILING**~~EPS-WEB OR~~

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Date

August 7, 2007

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:

**Kelkar et al.:**

Date: August 7, 2007

Serial No: 10/629,448:

Group Art Unit: 1631

Filed: July 29, 2003:

Examiner: **Loria Clow.**

**FOR: Method and Program Product for Discovering Similar Gene  
Expression Profiles**

I hereby certify that this correspondence is being EFS-Web or facsimile transmitted to the United States Patent and Trademark Office, Fax No. (571) 273-8300 on: (

August 7, 2007 by: KARL D. HERSE  
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Karl D. Herse August 7, 2007  
Signature Date of Signature

Honorable Commissioner of Patents and Trademarks  
Washington, D. C. 20231

**Notice of Appeal  
from the Examiner to the Board of Patent Appeals and  
Interferences**

Dear Sir:

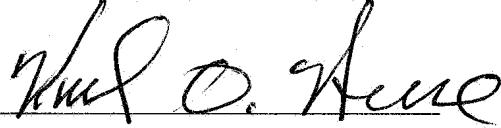
Applicant hereby appeals to the Board of Patent Appeals and Interferences from the final decision of the Examiner as set out in the Final Rejection mailed on May 16, 2007, and the Advisory Action dated mailed on July 13, 2007.

The \$500.00 fee for filing this notice has been collected in EFS-Web and so it is believed that no additional fees are due at this time, however, in the event that an additional fee is required, please charge that fee to deposit account number 09-0469.

Respectfully submitted,

**B. P. Kelkar et al.**

By



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